

AMENDMENT UNDER 37 C.F.R. § 1.111  
Application Serial No. 10/830,017  
Attorney Docket No. Q81187

**REMARKS**

Upon entry of this Amendment, claims 1-2, 16 and 33-71 are all the claims pending in the application. Claims 1, 2 and 16 are amended, and new claims 33-71 are added. No new matter is presented.

**Claim Rejections - 35 U.S.C. § 102**

Claim 16 stands rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Ishihara et al. (JP 56014207, hereinafter “Ishihara”). Applicant respectfully traverses this ground of rejection.

As demonstrated below, Ishihara fails to teach or suggest at least the feature of “the buffer layer (5) fills at least part of interstices between the bare optical fibers surrounding the central reinforcement element (1) such that the bare optical fibers are pressed in contact against the central reinforcing element (1) and mechanically coupled to the reinforcing element (1)”, as recited by claim 16.

For instance, Ishihara teaches an optical fiber cable consisting of a central tension member 1 surrounded by optical fibers 2. However, Ishihara merely teaches that the optical fibers are pressed against the tension member by a *polyester tape* that is simply wrapped around the periphery of the optical fibers. *See* Ishihara at abstract.

In the grounds of rejection, the Examiner analogizes the polyester tape 3 of Ishihara with the buffer layer of claim 16. As clearly shown in Figure 1 of Ishihara, the polyester tape 3 does not fill any part of interstices between optical fibers 2. Rather, the polyester tape is merely

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wrapped around the outer periphery of the optical fibers that surround the central tension member.

Consequently, the polyester tape 3 of Ishihara cannot properly correspond to the buffer layer of claim 16, which fills at least part of *interstices between the bare optical fibers surrounding the central reinforcement element* such that the bare optical fibers are pressed in contact against the central reinforcing element and mechanically coupled to the reinforcing element. Thus, Ishihara fails to teach or suggest all the limitations of claim 16. Reconsideration and withdrawal of the rejection of claim 16 is therefore requested.

Further, Applicant submits that claims 62-71 are allowable at least by virtue of depending from claim 16.

### **Claim Rejections - 35 U.S.C. § 103**

Claims 1 and 2 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Ishihara. Applicant respectfully traverses.

Applicant submits that Ishihara fails to teach or suggest at least the feature of “the buffer layer (5) fills at least part of interstices between the single layer of optical fibers (4) and the outer sheath (7) and at least part of interstices between the bare optical fibers surrounding the central reinforcement element (1) such that the bare optical fibers are pressed into contact against the central reinforcing element (1) and mechanically coupled to the central reinforcing element”, which is recited in both claims 1 and 2.

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As discussed above with respect to claim 16, Ishihara merely teaches that polyester tape is wound around optical fibers. Claims 1 and 2, by contrast, require a buffer layer that fills at least part of interstices between optical fibers and the outer sheath in addition to filling at least part of interstices between the optical fibers themselves. Ishihara's teaching of simply taping the plurality of fibers does not suggest *at least* this feature of claims 1 and 2, respectively.

Accordingly, reconsideration and withdrawal of the rejection of claims 1 and 2 is requested. Further, claims 33-61 should be allowed at least by virtue of depending from claims 1 and 2, respectively.

#### **New Claims**

In order to provide additional claim coverage merited by the scope of the invention, new claims 33-71 are added. Applicant notes that new claims 33-71 recite subject matter of originally filed claims 3-15 and 17-32.

Claims 33-71 are allowable at least by virtue of depending from claims 1, 2 and 16. Further, Applicant submits that claims 33-71 are allowable because the cited art fails to teach the respective features recited by these claims. Accordingly, allowance of claims 33-71 is requested.

#### **Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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